

Appl. No:  
Amendment dated:  
Office Action of:

10/821,658  
November 2, 2006  
October 2, 2006

## **REMARKS**

### **Restriction Requirement**

The Examiner has required restriction/election of the claims to:

allegedly patentably distinct species:

A Wherein the portion of the energy range is between approximately 3 and 4 MeV (e.g., see claim 75);

B Wherein the portion of the energy range is between approximately 4 and 6 MeV (e.g., see claim 76);

and within either A or B, to a single species within the container, for example Pu-239 or U-235.

The Examiner acknowledges that Claim 70 appears to be generic.

Applicant hereby elects, without traverse, to proceed with examination on the merits of Group B and for the species U-235. The claims have been amended accordingly. Applicant reserves the right to pursue examination of the withdrawn claims in a divisional application(s).

### **CONCLUSIONS**

In view of the foregoing amendments and remarks, Applicants submit that the application is in condition for examination on the merits.

Please charge any additional fees, and any required extensions of time, or credit overpayment to Deposit Account No. 120690.

Respectfully submitted,  
Regents of the University of California  
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Dated: November 2, 2006

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